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ADDRESS
ON THE
LIFE AND PUBLIC SERVICES
OF THE
HON. SAMUEL PRENTISS.

DELIVERED BEFORE THE VERMONT HISTORICAL SOCIETY,
AT MONTPELIER, OCT. 26, 1882, BY

E. J. PHELPS, Esq.

WITH THE
PROCEEDINGS OF THE VERMONT HISTORICAL SOCIETY,
OCTOBER 17, 1882.

MONTPELIER:
WATCHMAN & JOURNAL PRESS.
1883.

KF17005



PRINTED BY ORDER OF THE LEGISLATURE.

PROCEEDINGS.

The VERMONT HISTORICAL SOCIETY pursuant to notice met in the State House, in Montpelier, on Tuesday, the 17th day of October, A. D. 1882.

In the absence of the President and Vice Presidents of the Society, Hon. HEMAN CARPENTER was elected President *pro tempore*.

Dr. P. D. BRADFORD moved that all members of the Society who have paid their annual dues for fifteen years, or an amount equal to their annual dues for fifteen years, shall be entitled to a set of the "*Governor and Council*," which motion was agreed to.

Mr. HUSE moved that a committee of three be appointed by the President to nominate a board of officers of the Society for the year ensuing, which was agreed to.

The President named as such committee :

Dr. P. D. BRADFORD, Rev. J. H. WINSLOW, and Hon. JOSEPH POLAND ;

Who reported the following list of officers for the year ensuing :

President—Hon. E. P. WALTON, of Montpelier.

Vice Presidents—Hon. JAMES BARRETT, of Rutland ;
Rev. WM. S. HAZEN, of Northfield ; Hon. EDWARD A.
SOWLES, of St. Albans.

Recording Secretary—CHAS. W. PORTER, of Montpelier.

Corresponding Secretaries—GEO. GRENVILLE BENEDICT,
of Burlington, and Z. S. STANTON, of Roxbury.

Treasurer—HIRAM CARLETON, of Montpelier.

Librarian—HIRAM A. HUSE, of Montpelier.

Curators—Hon. R. S. TAFT, of Williston ; Dr. H. A.
CUTTING, of Lunenburg ; HIRAM A. HUSE, of Mont-
pelier ; Hon. G. A. DAVIS, of Windsor ; FRED. DUTCHER,
of St. Albans ;

And they were duly elected.

The report of the Treasurer was read, accepted and
adopted.

Mr. PORTER moved that Hon. JUSTUS DARTT, of Weath-
ersfield, A. D. TENNEY, of St. Albans, and THOMAS A.
KINNEY, of St. Albans, be elected resident members of
the Society, which was agreed to.

Mr. BLISS moved that ASAPH P. CHILDS be elected a
resident member of the Society, which was agreed to.

Mr. HUSE moved that Hon. JAMES BARRETT be invited
by the President to address the Society at some future
meeting, upon the Life and Services of the late GEORGE
P. MARSH, which was agreed to.

Mr. HUSE moved that a committee be appointed by the President, to secure, if possible, an address before the Society on the Life and Services of the late Judge PIERPOINT, which was agreed to.

The President appointed as such committee : C. W. PORTER and J. H. LUCIA.

Mr. PORTER gave notice, in accordance with Art. VII, of the Constitution of the Society, that, at the next annual meeting, it would be moved to amend Art. VII of the Constitution, so that it shall read as follows :

There shall be one biennial and occasional meetings of the Society. The biennial meeting for the election of officers shall be at Montpelier, on the Tuesday preceding the third Wednesday of October, in the years of the sessions of the Legislature. The special meetings shall be at such times and place as the Board of Managers shall determine.

Dr. H. A. CUTTING moved that a list of the members of the Society be prepared by the Treasurer, showing the year when they became members ; which was agreed to.

Dr. BRADFORD moved that the Secretary be directed to endeavor to secure the use of Representatives' Hall, for the address of Hon. E. J. PHELPS, before the Society, on the Life and Services of Judge PRENTISS ; which was agreed to.

Dr. BRADFORD moved that Mr. HUSE, Mr. PORTER, Mr. CARLETON and Dr. CUTTING, be appointed a committee to take such measures as they may deem necessary to induce the State to make suitable provision for the protection of the library and collections of the Society.

On motion of Mr. PORTER, the following resolution was adopted :

Resolved, That the thanks of this Society are hereby presented to FREDERICK J. PRENTISS, Esq., of Greenport, Long Island, for an excellent portrait of the late Hon. SAMUEL PRENTISS, from the easel of THOMAS W. WOOD.

On motion of Mr. HUSE, the Society adjourned until Oct. 26th, at 7 o'clock, P. M.

The Society met, pursuant to order of adjournment, on the 26th of October, A. D. 1882, at 7 o'clock, P. M.

Hon. E. J. PHELPS, of Burlington, delivered an address before the Society, in the Hall of the House of Representatives, on the Life and Public Services of Judge SAMUEL PRENTISS.

On motion, the Society adjourned.

REPORT OF THE LIBRARIAN
OF THE
VERMONT HISTORICAL SOCIETY,

OCTOBER 17, 1882.

To the Vermont Historical Society:

The following are the additions to the library:

Books, bound, volumes	408
Pamphlets.....	2279
Newspapers, &c.....	20
Manuscripts.....	42
Other Articles.....	14
Total	<u>2763</u>

A list of donors and others from whom the above have been received is hereto appended.

After the list above named will be found a list of Early Vermont newspapers.

Respectfully submitted,

HIRAM A. HUSE, *Librarian.*

LIST OF DONORS.

INSTITUTIONS.

AMERICAN ANTIQUARIAN SOCIETY, Worcester. Proceedings, N. S., Nos. 1, 2, 3 of vol. 1 ; No. 1 of vol. 2 ; Index.

AMERICAN BOARD OF C. for F. M. Mission to West Central Africa ; Congregationalism and Foreign Missions ; Explorations for mission to Umzila's Kingdom ; 4 pamphlets.

AMERICAN PHILOSOPHICAL SOCIETY. List of members, 1880 ; Proceedings, Nos. 65 to 109.

APPALACHIAN CLUB. Appalachia, Dec. '81.

ASSOCIATED CHARITIES OF BOSTON. Reports.

ASTOR LIBRARY. 32d and 33d Reports, 1880 ; 1881.

BOSTON. 5th and 6th Record Commissioners' Report ; Auditor's Report, 1882.

BOSTON PUBLIC LIBRARY. Bulletins regularly.

BRITISH TOPOGRAPHICAL SOCIETY, London. 4 pamphlets.

CANADA. Geological Survey 1878-9 ; 1879-80, and maps.

CHICAGO HISTORICAL SOCIETY. History of the Society ; Dr. Patterson's Address ; Newspapers ; Sketch of Edward Coles.

CHICAGO PUBLIC LIBRARY. 9th and 10th Reports.

CHURCH OF THE SAVIOR, Brooklyn. Channing Centennial.

DARTMOUTH COLLEGE. General Catalogue, 1880 ; Catalogue 1880-1.

DAVENPORT ACADEMY OF NATURAL SCIENCES. Proceedings, Part 2, vol. 3.

DIOCESE OF VERMONT. Proceedings, 50th Convention, 1882.

ESSEX INSTITUTE, Salem, Mass. Bulletin, vols. 12, 13, and Nos. 1 to 6 of 14 ; Collections, vols. 18 and January to June of 19 ; Guide to Salem.

FLETCHER FREE LIBRARY. Report, 1881.

GEORGIA HISTORICAL SOCIETY. Anniversary Address, 1881.

HISTORICAL SOCIETY OF DELAWARE. Papers, Part 3, 1881 ; John M. Clayton.

HISTORICAL SOCIETY OF NEW MEXICO. Inaugural Address.

HISTORICAL SOCIETY OF PENNSYLVANIA. Pennsylvania Historical Magazine, regularly.

- KANSAS HISTORICAL SOCIETY. Collections, vols. 1, 2 ; Newspapers.
LIBRARY COMPANY, Philadelphia. Bulletin, Nos. 7 to 9.
- LIVINGSTON COUNTY HISTORICAL SOCIETY. Proceedings, 5 pamphlets.
- LONG ISLAND HISTORICAL SOCIETY. Recent additions, 1881 ; Proceedings, 1882.
- MAINE HISTORICAL SOCIETY. Collections, vol. 8.
- MARYLAND HISTORICAL SOCIETY. Fund Publication, Nos. 16, 17.
- MASSACHUSETTS HISTORICAL SOCIETY. Catalogue of Dowse Library ; 14 pamphlets ; Proceedings, vol. 18 ; collections, vol. 8, 5th series.
- MASSACHUSETTS STATE LIBRARY. Report 1881 with 2d supplement to Catalogue ; Catalogue.
- MINNESOTA ACADEMY OF NATURAL SCIENCES. Bulletins.
- MINNESOTA HISTORICAL SOCIETY. Report, 1881.
- MISSOURI HISTORICAL SOCIETY. Publications, Nos. 5, 6.
- MITCHELL LIBRARY, Glasgow. Report, 1881.
- MONTPELIER VILLAGE. Acts of Incorporation and By-Laws.
- NEW BRUNSWICK HISTORICAL SOCIETY. Newspapers.
- NEW ENGLAND HISTORICAL GENEALOGICAL SOCIETY. Knox Manuscripts ; Genealogical Register as issued ; Memorial Biographies ; Proceedings, Oct. 25, 1880 ; Jan. 4, 1882.
- NEW ENGLAND SOCIETY OF ORANGE, N. J. Constitution and By-Laws, 12th edition.
- NEW HAMPSHIRE MEDICAL SOCIETY. Transactions, 91st meeting.
- NEW JERSEY HISTORICAL SOCIETY. N. J. ARCHIVES, vols. 1, 2, 3, 4, 5 ; Proceedings, Nos. 2, 3, 4, of vol. 6 ; Nos. 1, 2, of vol. 7.
- NEW YORK GENEALOGICAL AND BIOGRAPHICAL SOCIETY. Quarterly Record as published.
- NEW YORK HISTORICAL SOCIETY. Collections, 1877, 1878.
- NUMISMATIC & ANTIQUARIAN SOCIETY, Philadelphia. Books of Chiland Balam ; Proceedings, 1881 ; 19 pamphlets.
- OLD COLONY HISTORICAL SOCIETY. Collections, Part 2, 1880.
- OLD RESIDENTS' HISTORICAL ASSOCIATION, Lowell. Contributions, vol. 2, No. 2.
- ONEIDA HISTORICAL SOCIETY. Transactions, 1881.
- PROVINCIAL LIBRARY OF NOVA SCOTIA. Newspapers.
- PUBLIC SCHOOL LIBRARY, St. Louis. Bulletins regularly.
- REDWOOD LIBRARY AND ATHENEUM. Reports, 1880, 1881.
- RHODE ISLAND HISTORICAL SOCIETY, Providence. Proceedings, 1879-80 ; 1880-1 ; 1881-2 ; 6 vols. Rhode Island laws, 1879 to 1881.
- ROYAL HISTORICAL SOCIETY, London. Transactions, vols. 9, 10.
- SAN FRANCISCO. Municipal Report, 1879-80 ; 1880-1.
- STATE HISTORICAL SOCIETY OF WISCONSIN. Report, 1881.
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Vermont Historical Society.

- TUFTS' COLLEGE. Tuftonian, 1880, 1881, 1882; Report, 1879-80, 1880-1; Catalogue, 1880-1, 1881-2.
- UNIVERSITY OF VERMONT. Catalogues, 1880-1; 1881-2.
- VERMONT BAR ASSOCIATION. Proceedings. 1878-81.
- VERMONT STATE AGRICULTURAL SOCIETY. Premium Lists, etc.
- VIRGINIA HISTORICAL SOCIETY. Proceedings; Wm. Wirt Henry's Address; Spotswood Letters.
- WASHINGTON COUNTY GRAMMAR SCHOOL. Graduating Exercises, 1882.
- WISCONSIN STATE HISTORICAL SOCIETY. Catalogue, vol. 5.
- WORCESTER SOCIETY OF ANTIQUITY. Records of Prop., Parts 2, 3, 4; Proceedings, 1880; Records of Worcester, Nos. 14, 15, 16, 17.
- WYOMING HISTORICAL AND GENEAL SOCIETY. 7 pamphlets; 22 vols. Geological survey; Proceedings, 1882.
- YALE COLLEGE. Catalogue, 1880-1, 1881-2; Obituary Records, 1880-1, 1881-2; 2 pamphlets; Sheffield memorial.

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- ADAMS, F. G. Topeka, Ks. Newspapers; Union of Libraries.
- ALLBEE, A. M., Springfield. Deed of land in Putney, 1756.
- ANDERSON, JOHN J., N. Y. Our Title to Oregon; Louisiana Purchase.
- ANTHONY, HENRY B., Providence. Speech in Defense of R. I.
- APPLETON, D. & Co., N. Y. Literary Bulletin.
- BARBER, D. C., Montpelier. 42 pamphlets.
- BARTLETT, J. R. 10 copies Bartlett's Methodism in Williamstown.
- BEAN, D. H., Williamstown, Vt. Bible, 1790.
- BINGHAM, W. H. H., Montpelier. Montreal Railway Journal.
- BLISS, CHAS. M., Bennington. Report of Select Committee of H. of R.
- BLISS, Mrs. N. B., Claremont. 6 Books; 250 pamphlets.
- BOSS, THOMAS M., Springfield. Centennial Celebration, 1st Church.
- BRADLEE, C. D., Boston. Memorial Sermon on President Garfield.
- BROCK, R. A., Richmond, Va. Catalogue of Green's Library; Newspapers.
- BROWN, Dr. F. H., Boston, Mass. 2 vols. Medical Registers. ♦
- BURROWS, GEO. B., Madison, Wis. Address at Wisconsin Fair.
- BUTLER, L. C., Essex, Vt. 10 Vt. pamphlets; Psalms of David.
- BOUDINOT, JOHN GEORGE. Inaugural meeting, Royal Society of Canada.
- CAHOON, GEO. W., Letters to Caleb Strong; Dissertations on Boylston Prize Questions.
- CALDWELL & DOWNE, Ipswich. Antiquarian Papers, regularly.
- CARPENTER, WILLIAM, Waterbury, Vt. Lot of Newspapers; 83 pamphlets; 9 vols. books; 123 Documents and pamphlets; 52 Walton's Registers.
- CARTER, N. F., Queechee. Congregational Church Manual.

CLARK, HENRY, Rutland, Vt. 132 pamphlets; 2 books; 12 sketches in manuscript.

CLARK, J. D., Montpelier. 3 vols. medical works.

CLOGSTON, WM., Springfield, Mass. Volume Election Sermons, (Ex.).

COBB, NATHAN B., Strafford, Vt. 20 Registers and Almanacs; 5 vols. Books; 1 of Newspapers, "Trumpet"; 17 of Democratic Review; 15 of other Magazines; 6 pamphlets.

COMSTOCK, JOHN M., Chelsea, Vt. Obituary pamphlets, Dartmouth College, 1880-1, 1881-2; 5th Annual Report, class of 1877.

CRESSY, NOAH, Hartford, Conn. Trichinous Infection.

CROSBY, NATHAN, Lowell, Mass. Distinguished men of Essex County.

CUDMORE, P. Political Rings; 2 pamphlets; 3 vols. of his works; Irish Republic.

CURRIER, J. M., Castleton. 14 Books; 60 pamphlets; July 4, 1881 Celebration.

CUSHMAN, HENRY I., Providence. 56 Universalist pamphlets.

DAWSON, H. B., Morrisania, N. Y. 13 vols. Historical Magazine.

DEAN, J. WARD, Boston. Record of Commissioners 1880, 2d, 3d and 4th Reports.

DEBERNADY BROS., London. Next of Kin Gazette, November, 1880.

DEPEYSTER, J. WATTS, Tivoli, N. Y. Mary Queen of Scots.

DEXTER, ELEAZER, Reading, Vt. Journal of Colony of Mass., 1775.

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DROWNE, HENRY T., N. Y. Bristol's 200th Anniversary; New York Genealogical and Biographical Register, regularly.

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EASTMAN, Mrs. C. G., Montpelier. 2 copies Eastman's poems.

EASTMAN, S. C., Concord. Memorial of G. G. Fogg.

EDDY, CHARLES, Brooklyn. 2 copies of Eddy Genealogy.

EDMUNDS, GEO. F. 2 Smithsonian Reports 1877-8; Commercial Relations of U. S., regularly.

ELWYN, ALFRED LANGDON, Philadelphia. Letters of Washington and others.

EMMERTON, JAMES A., Boston. Genealogy of Emmerton Family.

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FIELD, D. G., Montpelier. Relics of House where Ellsworth was killed.

FIELD, F. G., North Springfield, Vt. 2 pamphlets.

FIELD, R. B., Jericho. 4 Vt. books; 10 pamphlets.

FREEMAN OFFICE. 54 pamphlets.

FREE PRESS ASSOCIATION, Burlington. Weekly Free Press.

GEROULD, S. L., Goffstown, N. H. Gen. Catalogue Kimball Academy; N. H. Congregational Minutes, 1880, 1881.

GILMAN, ALFRED, Lowell. Contributions to Lowell Historical Association, No. 1, vol. 2.

GILMAN, M. D., Montpelier. Ms. copy Bibliography of Vermont; 15 vols. newspapers; 300 pamphlets.

GOODELL, C. L., St. Louis. Sermon.

GOULD, S. C. & L. M., Manchester, N. H. Notes, Queries and Answers, vol. 1, No. 3.

GREEN, SAMUEL A., Boston. Plate of 1st Meeting House in Groton Boston Munic. Register, 1881, 1882; Warren's Oration, 1881; Wheldon's Revere's Lanterns; Boston Records, 1660-1701; Boston School Report, 1881; 10th Report Board of Health; A. & H. Artillery Anniversary; Gregg Anniversary; 5 other books and 165 other pamphlets.

GREENE, L. B., St. Albans. Apache arrow.

HALE, ROBERT S., Elizabethtown. Obsequies of President Garfield.

HALL, HILAND. Howells' State Trials, 21 vols.; 35 other books; 26 pamphlets.

HARRINGTON, ELISHA, Spencer, Mass. 2 Vt. Registers.

HAYWOOD, WM., Lancaster, N. H. 43 Walton's Registers; 3 vols. Vt. Centinel, 1801-2-3.

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HEMENWAY, ASA, Manchester. Genealogy.

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HINCKS, J. H., Montpelier. 12 Books.

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HUBBARD, L. P., N. Y. 75th and 76th Anniversary of N. E. Society of N. Y.

JARVIS, EDWARD, Dorchester, Mass. Constitution, etc., Am. Statistical Association.

KELTON, DWIGHT H., Fort Mackinac. Annals of Fort Mackinac.

KOON, GEO. F., North Bennington. Life of N. Brush, ms.

LANGWORTHY, I. P., Boston. An. Report Am. Board F. M.; 2 pamphlets.

LEAVENWORTH, A. E., Castleton. 427 pamphlets; 1 newspaper; 20 steel portraits of W. Slade.

MACULLAR, PARKER & Co., Boston. Harvard Register, 1881.

MARSH, JAS. W., Forest Grove, Or. Eight pamphlets.

MERRILL, CHESTER W., Cincinnati. Report of Public Library.

NEW ENGLAND MAN. & MECH. INSTITUTE. Catalogue 1st and 2d years.

PARKER, W. H., Middlebury. Inauguration of Pres. Hamlin.

PERRINS, N. C., Chicago. Rhyme of the District School.

PETTINGILL, E. H., Rockingham. Text Book Committee's Report, 1879.

PHELPS, J. W., Brattleboro. Framed Requisition for Colored Troops, 1862.

PHILLIPS, E. S., Bridgeport, Conn. History of First Church of Bridgeport.

PHILLIPS, HENRY, Jr. Am. Philos. Asso'n, 1880; Head Dresses on Ancient Coins; Old time Superstitions; 8 pamphlets,

PINGRY, WILLIAM M., Weathersfield. Pingree Genealogy.

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POILLON, WM., Secretary, N. Y. Proceedings 23d Meeting American Numismatic & Ar. Society.

POOLE, WM. F., Chicago. Progress of Library Architecture.

POWERS, J. K., Des Moines, Iowa. Land office Report, 1881.

PREBLE, GEO. H., Boston. History U. S. Flag; U. S. Service Monthly, Dec., 1880; 2 ambrotypes; Henry Knox Thatcher.

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QUARITCH, BERNARD, London. Catalogues.

REED, Mrs. EMILY E., Montpelier. 14 books; 40 School Books; 30 vols. Magazines; 60 pamphlets.

ROLFE, E. W., Springfield. Newspapers; 7 election sermons; 137 pamph.

RUSSELL, M. W., Concord. Transactions N. H. Med. Society, 1880.

SHELDON, HENRY L., Middlebury. 40 Autograph Letters of Clay, Wright and others; 1 Sheldon medal.

SLAFTER, E. F., Boston. Incorrect Latitudes.

SMITH, C. S., Montpelier. 10 Vermont Bible Society Reports; 5 vols. Home Missionary.

SMITH, Mrs. J. GREGORY, St. Albans. The Iceberg's Story.

SMUCKER, ISAAC. Statistics of Ohio, 1880.

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STAPLES, SAMUEL E., Worcester. Worcester Musical Festival.

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STONE, E. M., Providence. 5 pamphlets; Providence School Report, 1880.

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THOMPSON, PETER G., Cincinnati. Bibliography of Ohio, (Ex.).

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TURNER, ALFRED T., Boston. Boston Auditor's Report, 1880-81.

VAN VOORHIS, ELIAS W., N. Y. Ancestry of Maj. Wm. Roe Van Voorhis.

WALKER, GEO. LEON, Hartford, Conn. 3 Sermons.

WALKER, E. S., Springfield, Ill. 44th and 45th Anniversaries of Springfield Baptist Association.

WALLER, J. B., Chicago. True Doctrine State's Rights; B. Franklin as a Diplomatist.

WELLS, W. H., Chicago. 25 Education Reports, Chicago.

- WENTWORTH, JOHN, Chicago. His "Early Chicago," 3 parts.
 WHEELER, HOYT H. Articles of Faith, etc., Church in Newfane.
 WHITING, JAS. M., Tunbridge, Vt. Massachusetts scrip, 1780.
 WILLIAMS, SAMUEL. Memoir of Charles Kilborn Williams.
 WINTHROP, ROBERT. Yorktown Centennial Oration.
 WINSHIP, AUSTIN C. Old Vermont Coin.
 WOLCOTT, SAMUEL. The Wolcott Memorial.
 WOOD, JOSIAH, Barre. Continental Scrip.
 WOOD, THOMAS W., N. Y. Portrait of Hon. D. P. Thompson.
 WRIGHT, R. W., New Haven, Conn. Class of 1842, Yale.

UNITED STATES.

DEPARTMENT OF THE INTERIOR. Semi Annual Lists of Patentees and Inventions as issued; Annual Report, Patent Office, 1879, 1880; Weekly Gazette as issued; Report of Education, 1878, 1879; Education and Crime; Discipline of School; Bureau of Education, Circulars of 1880, Nos. 4 to 7, 1881; Library Aids, 5 copies; Statistics of fifty Counties; House and Senate Journals, 46th Congress, 2d sess.; Ditto, 3d sess.; Report of Chief of Engineers, 1880, 3 vols.; Bulletins of Surveys; King's Geol. Report, 1880; Indian Languages, Powell; Mortuary Customs of Indians; Official Register, 1881, 2 vols.; Seal Islands; Oyster Industry; Precious Metals; Cotton in Louisiana.

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SMITHSONIAN INSTITUTION. Contributions to Knowledge, vol. 23; Miscellaneous Collections, vols. 13, 14, 15, 18, 19, 20, 21; Annual Report, 1879, 1880; Publications of Bureau of Ethnology, vol. 1.

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TREASURY DEPARTMENT. Life Saving Service Report, 1880, 1881.

WAR DEPARTMENT. Report on Geological Exploration, 40th parallel, vol. 7; Geog. Surveys, vol. 3, 1881; vol. 7, Archaeology; Index to Reports, River and Harbor; Maps for River and Harbor Improvement; Report of Chief of Engineers, Parts 1, 2 and 3.

EARLY VERMONT NEWSPAPERS.

[The following is a list of early Vermont newspapers compiled at the request of S. N. D. North, Esq., of the Census Department. A full account of the first coming in of the printing business to the State of Vermont would be of much interest; and even its most material relic, the old press now in the State House, has a history that will be very readable when written, as I hope it soon will be, by Robert Perkins, formerly of Woodstock and now on the editorial staff of the Springfield Republican. Mr. M. D. Gilman's valuable Bibliography of Vermont was of the greatest assistance in making this list, and Mr. Walton's researches were also of great help. The list gives the newspapers, with proprietorships and titles, down to the year 1810.]

1. THE VERMONT GAZETTE, OR GREEN MOUNTAIN POST BOY, Westminster, printed by Judah Paddock Spooner and Timothy Green. First issue Monday, February 12, 1781; suspended 1782, or early in 1783.

2. THE VERMONT GAZETTE, OR FREEMEN'S DEPOSITORY, Bennington, printed by (Anthony) Haswell and (David) Russell. First issue June 5, 1783; suspended finally in 1880.

The proprietorship of this paper to 1810 was as follows: June 5, 1783 to October 25, 1790, Haswell & Russell; November 1, 1790 to August 12, 1796, Anthony Haswell; August 19, 1796 to December 29, 1796, printed by C. Merrill for Anthony Haswell; January 5, 1797 to April 6, 1797, (Orsamus C.) Merrill and (Reuben) Langdon; April 13, 1797 to August 31, 1797, Orsamus C. Merrill; September 5, 1797 to March, 1800, Anthony Haswell;

March 6, 1800 to March 23, 1801, printed by Anthony Haswell for the proprietors; March 30, 1801 to January 3, 1803, Anthony Haswell; January, 1803 to April 6, 1803, the paper suspended; April 6, 1803 to March 27, 1804, Anthony Haswell & Co.; April 3, 1804 to July 24, 1804, Anthony Haswell, who then announced suspension of the paper; August 7, 1804 to August 28, 1804, printed for Anthony Haswell; September 4, 1804 to January, 1806, Anthony Haswell and Benjamin Smead; January 13, 1806, Benjamin Smead, who was succeeded by William Haswell, April 8, 1811.

The titles of this paper to 1810 were as follows: June 5, 1783 to May 31, 1784, "The Vermont Gazette, or Freeman's Depository"; June 7, 1784 to Dec. 29, 1796, "The Vermont Gazette"; January 5, 1797 to August 31, 1797, "Tablet of the Times"; September 5, 1797 to March 23, 1801, "The Vermont Gazette"; March 30, 1801 to September 21, 1801, Haswell's Vermont Gazette revived"; September 28, 1801 to April 12, 1802, "Haswell's Vermont Gazette"; April 19, 1802 to January 3, 1803, "Vermont Gazette"; April 6, 1803 to January 6, 1806, "Vermont Gazette"; January 13, 1806 to February (3?) 1807, "The Vermont Gazette, an Epitome of the World"; February (24?) 1807 to (September 21?) 1807, "Epitome of the World"; (October 26?) 1807 to April 3, 1809, "The World"; April 10, 1809, "Green Mountain Farmer," which name was retained till the Vermont Gazette title was restored in 1816.

3. THE VERMONT JOURNAL AND THE UNIVERSAL ADVERTISER, Windsor, printed by (George) Hough and (Alden) Spooner. First issue Thursday, August 7, 1783, continued and now the Vermont Journal, published by the Journal Company. The partnership of Hough & Spooner was dissolved December 19, 1788. The last issue bearing their names is December 22, 1788, and with the number for December 29, 1788, the name of Alden Spooner appears alone. Mr. Spooner ran the paper about thirty years after that.

The title was changed March 20, 1792, to "Spooner's Vermont Journal," and so continued till several years after 1810.

4. THE HERALD OF VERMONT, OR RUTLAND COURIER, Rutland, by Anthony Haswell. First issue Monday, June 25, 1792; last issue September 10, 1792; cause of suspension, burning of the office September 16, 1792.

5. THE FARMERS' LIBRARY, OR VERMONT POLITICAL AND HISTORICAL REGISTER, Rutland. Printed by James Lyon. First issue Monday, April 1, 1793. Last issue November 29, 1794. The office was sold to S. Williams & Co.; (Rev. Samuel Williams, LL. D., and Judge Samuel Williams.)

6. THE RUTLAND HERALD, OR VERMONT MERCURY, Rutland. Printed for S. Williams & Co. First issue December 8, 1794; continued and now published as the Rutland Herald and Globe, by the Herald Association.

Proprietors: December 8, 1794 to January 2, 1797, S. Williams & Co.; January, 1797 to February 20, 1797, S. Williams, (the Doctor); February

27, 1797 to August 28, 1797, Williams & (Josiah) Fay; September 4, 1797 to July 30, 1798, when Dr. Williams and Josiah Fay dissolved partnership, S. Williams & Co.; August 6, 1798 the paper was printed for S. Williams, LL. D. William Fay succeeded Dr. Williams, and was proprietor in 1810. The early printers of the paper for the publishers were J. Kirkaldie, John S. Hutchins, Joshua Fay, John Walker, Jr., and William Fay.

The title of this paper was: December 8, 1794 to June 22, 1795, "The Rutland Herald, or Vermont Mercury;" June 29, 1795 to August 27, 1798. "The Rutland Herald, a Register of the Times;" September 3, 1798 and after, "The Rutland Herald."

7. THE FARMERS' LIBRARY, OR FAIR HAVEN TELEGRAPH, Fair Haven, printed by J. P. Spooner and W. Hennessy. First issue July 28, 1795. William Hennessy retired March, 1796, and thereafter Judah Paddock Spooner was sole proprietor, till he suspended publication March 2, 1797, for a number of weeks at least. The paper was again running in November, 1797, under the title of "The Farmers' Library or Vermont and New York Intelligencer," and suspended finally in 1798.

There is high authority to the effect that Col. Matthew Lyon established a paper in Fair Haven in 1793, called first "The Farmers' Library," and then "The Fair Haven Gazette"; but I believe that this is a mistake, and that the first Fair Haven paper was the one started by Spooner and Hennessy.

8. FEDERAL GALAXY, Brattleboro, Printed by Benjamin Smead. First issue January 3, 1797. Suspended 1802.

9. BURLINGTON MERCURY, Burlington, Donnelly & Hill. Begun in 1797; suspended 1799: so runs the record.

A poetical-political squib in the Vermont Gazette of September 8, 1798, names the eight newspapers of Vermont, as then being, Federal Galaxy, The Argus, The (Spooner's Vermont) Journal, The (Rutland) Herald, The Green Mountain Patriot, the Vergennes Gazette and The Vermont Gazette. "The Mercury" is not named; whether it had suspended then, had a second title, "The Argus," or was miscalled, is not determinable with the material and time at command. The name "The Argus," if used now would be well understood; but what paper did the term apply to in 1798?

10. GREEN MOUNTAIN PATRIOT, Peacham. Printed by Farley & (Samuel) Goss. First issue February 1, 1798. Suspended March, 1807.

11. VERGENNES GAZETTE, Vergennes. Samuel Chipman. First issue August, 1798. Suspended; probably not a long-lived paper. Perhaps continued till the "printing office" of Chipman & Fessenden was burned, the night of October 27, 1801.

12. WEEKLY WANDERER, Randolph. Sereno Wright, S. Wright & J. Denio, June 27, or July 4, 11, 18 or 25, 1801, to April 10 or 17, 1802; then Sereno Wright again. First issue December 27, 1800. Suspended about 1810.

13. VERMONT CENTINEL, Burlington. J. H. Baker. First issue, March 19, 1801. Suspended 1880.

Baker was succeeded by Josiah King, October 12, 1804; October, 1805, to April, 1806, it was printed by Baker for the proprietors; April, 1806, to October, 1806, Daniel Greenleaf and Samuel Mills; and from October, 1806, for a dozen years, Samuel Mills. In 1810, the name was changed to "Northern Centinel."

14. WINDSOR GAZETTE, Windsor, Nahum Mower. First issue, March 3, 1801. Suspended; perhaps on the establishment of the Post Boy, by Mower, late in 1804.

15. MIDDLEBURY MERCURY, Middlebury, (Joseph D.) Huntington & (John) Fitch. First issue December 16, 1801. Suspended June 27, 1810.

16. VERMONT MERCURY, Rutland, Stephen Hodgman. First issue about Monday, February 28, 1802. Running in 1803, but suspended probably not long after.

17. THE REPORTER, Brattleboro, William Fessenden. First issue February, 1803; merged in Messenger about 1826.

18. THE POST BOY, AND VERMONT AND NEW HAMPSHIRE FEDERAL COURIER, Windsor, Nahum Mower. First issue December, 1804. Suspended 1808.

19. NORTHERN MEMENTO, Woodstock, Isaiah Carpenter. First issue May, 1805. Suspended February, 1806.

20. VERMONT PRECURSOR, Montpelier, Clark Brown. First issue November, 1806. Sold, September, 1807, to Samuel Goss, who changed the name to "The Watchman." Samuel Goss sold in 1810 to Ezekiel P. Walton and Mark Goss, who as Walton & Goss conducted the paper about seven years, when Mr. Goss retired. Continued as "Vermont Watchman and State Journal," by W. W. Prescott.

21. NORTH STAR, Danville, Ebenezer Eaton. First issue January 13, 1807. Continued by Anson Hoyt.

22. ST. ALBANS ADVISER, St. Albans, Rufus Allen. Established about 1807. Suspended 1808.

23. VERMONT COURIER, Rutland, Thomas M. Pomeroy. First issue July 25, 1808. Suspended May 30, 1810.

24. THE INDEPENDENT FREEHOLDER AND REPUBLICAN JOURNAL, Brattleboro, Peter Houghton. Established about 1808; suspended after a short life.

25. VERMONT REPUBLICAN, Windsor, Oliver Farnsworth, for the proprietors. First issue, January 1, 1809. In 1810, Farnsworth & (Sylvester) Churchill were proprietors; suspended 1834.

26. CHAMPLAIN REPORTER, St. Albans, Morton and Willard. Established April or May, 1809; suspended in spring of 1811.

27. FREEMAN'S PRESS, Montpelier, Derrick Sibley. First issue August

25, 1809. In 1811 Wright, Sibley & Co. published it; in 1812 Wright & Sibley; suspended 1816.

28. *THE WASHINGTONIAN*, Windsor, Josiah Dunham. First issue July 23, 1810. Thomas M. Pomeroy was printer. It was published as late as July 10, 1813.

PERIODICALS.

1. *THE MONTHLY MISCELLANY, OR VERMONT MAGAZINE*, Bennington. Begun by A. Haswell, March, 1794. Soon discontinued.

2. *THE RURAL MAGAZINE, OR VERMONT REPOSITORY*, Rutland, S. Williams & Co. First number for January, 1795; continued monthly for two years.

3. *THE SCOURGE OF ARISTOCRACY, AND REPOSITORY OF IMPORTANT POLITICAL TRUTHS*, Fair Haven, James Lyon. Twice a month. First issue October 2, 1798, suspended 1799. This in form was a magazine; in reality a political newspaper.

4. *HASWELL'S MENTAL REPAST*, Bennington, A. Haswell, monthly. First issue, January, 1808. Soon suspended.

SAMUEL PRENTISS

AN ADDRESS.

BEFORE THE

VERMONT HISTORICAL SOCIETY

BY

E J PHELPS

DELIVERED IN THE REPRESENTATIVES' HALL
MONTPELIER OCT 26 1882

REPORTED BY J R PEMBER

ADDRESS.

Mr. President and Gentlemen of the Historical Society:

I have been invited to say something before you, touching the life and character of SAMUEL PRENTISS. In the lack of a better substitute, I did not feel at liberty to decline; but I can offer you nothing in response, that shall come up to the mark of a finished essay, or an elaborate address. I have not explored the usual materials of the biographer; I have not been able—indeed I have not cared—to put anything upon paper; I have rather preferred to try to set before you, in a simple and familiar way, my own recollections of the man; to sketch his portrait for you, as well as I can, in rough crayon, as it remains, and will always remain in my memory. If the color of the picture should appear to any of you too warm, if it should seem rather the tribute of an admiring friendship, than the cool discrimination of the historian, I shall make no apology for that. You will be quite at liberty to bear in mind, that the recollections I am drawing upon, are those of my youth; and that the enthusiasm and reverence that are youth's happiest gift, leave in all later years their after-glow upon the memories of their time. It is well for us, those of us who live to be old, that it is so. It is beneficently ordered, that the old man shall be

always the *laudator temporis sui*, the eulogist of his own day. I was warmly attached to Judge Prentiss in his life time; I honor and revere his memory more than that of most men I have known; and I have known many. My father and he were bound together, all the days of their lives, by the intimacy of an uncommon friendship.

*“ And sacred was the hand that wrote
Thy father’s friend forget thee not.”*

Judge Prentiss was in all senses of the word, an old fashioned man. His active life was passed within the earlier half of this century. He came to the bar of Vermont in 1802, and he died in 1857. Historically speaking, the interval since then is not very long; but in the rapid development of American society, it is a good while. In all the changes and chances of life, there is nothing that so forcibly illustrates the saying of the Scripture, that “the fashion of this world passeth away,” as the changes and the differences in the generations of men. They succeed each other in a perpetual succession, yet no two are ever alike, but in the certainty of their disappearance. Each has its own character, its own successes, its own imperfections, its own memories. History therefore, whether personal or national, must be regarded from the point of view of its own age; it is idle to try to estimate it in the light of ours. Judge Prentiss belonged to his own time. He was the product of the early days of Vermont. There is something easier to state than to describe, in the influence of the time upon the quality of the men produced in the beginning of a state. It is akin to what is seen in some agricultural products, which are better in the virgin soil than any cultivation can ever make them afterwards. Whether it is in the dignity of their employment as the founders of in-

stitutions, whether it is in the vigor and freshness which attend the youth of a state, like the youth of life, or whether such emergencies bring to the surface and into conspicuous view a higher order of men, whatever the reason may be, the fact remains; the fathers are larger than the children. But when we eulogize the virtue and the advantages of the past, we do not necessarily disparage the present. I am not one of those who believe that the world degenerates as it grows older. As change is the condition of life, so compensation is an unfailing condition of change. For whatever time takes away, it compensates in what it brings. Much that is precious perishes as it passes; but with new life comes always new beneficence.

The events of Judge Prentiss' life can be rapidly told. They are few and simple. He was born in Connecticut, in 1782, of a good old stock, who traced back their lineage to an excellent family in England. His great-grandfather fought for the king in the old French war, and his grandfather fought against the king, a colonel in the revolutionary war. He came to Vermont, which was the El Dorado of the best young blood of Connecticut in those times, and was admitted to the bar in 1802, before he was twenty-one years of age. He practiced law in Montpelier until 1825, when he was made a judge of the Supreme Court. In 1829 he became chief justice. In 1830 he was elected to the United States Senate, and again in 1836. In 1841 he was appointed judge of the United States District Court for Vermont, and held that office until he died in 1857, at the age of seventy-five, leaving twelve children, and a very moderate estate. That is the whole story. Thirty-two years' continuous public service; yet the events of his life are substantially comprised in these few words. But the best lives are not made up of events; they are made up of qualities and of

attainments. And simple as are the incidents that are now to be gathered of that life, it was beyond question one of the best and purest of the many good lives Vermont has been blessed with.

I may briefly consider (for I can touch but briefly upon anything to-night,) his life in these four successive epochs, as a lawyer at the Vermont bar, as a judge and chief justice of the Supreme Court of his State, as a senator of the United States, and as a judge of the federal court of this district.

He practiced law, I have said, for twenty-three years. The phrase is one very commonly employed, and has very different meanings. The small pettifogger practices law, to the infinite mischief of the community he lives in. And there is another class, to whom that term of reproach cannot properly be applied, but who content themselves with finding in the practice of the law a sort of genteel trade, out of which some sort of a livelihood is to be extracted without much labor; who never begin to have a conception of the nobility or the scope of a profession, that has been well declared to be "as honorable as justice, and as ancient as the forms of law"; who never study it as a science, or in any large way, but content themselves with such little miscellaneous acquirements as may answer the purposes of the small controversies of their locality. And therefore it is, that good men outside of the profession are sometimes puzzled to understand how it should be exposed to the sharp and bitter criticism often applied to it, and at the same time should be the subject of the lofty eulogy heard in the best quarters in regard to it. It is because there are lawyers and lawyers; lawyers small and great, useful and mischievous. There are those who belong to the trade, and there are those who belong to the profession.

Judge Prentiss' life as a lawyer was of course before my time. My personal acquaintance with him began when he was in the Senate of the United States. What I know of his previous career I have gathered from those who did know him, who are older than I, from the records he has left behind him, and from what I infer, from my subsequent acquaintance, must have been his character and qualities, when he was a younger man.

In the first place, although a country lawyer in the then little village of Montpelier, and in the small, rural, isolated state of Vermont, he proceeded to acquaint himself, by the most careful and judicious and far-reaching study, with the whole range of the common law, and all its kindred topics. He did not terminate his labors with those subjects that were likely to turn up for discussion in the Washington County Court. He acquainted himself, I repeat, with the whole range and fabric of the common law, from its earliest foundations, and from the dawnings of its first fundamental principles. He learned the law as the perfection of reason, and the science of justice. And then he brought to bear upon the practice of it, the elevation of character and purity of motive that were born to him, and which he displayed in every relation of life. He felt and acted upon the conviction, that the lawyer as well as the judge is one of the ministers of justice; that he as well as the judge is a sworn officer of the court; that the administration of justice is his business, and not its perversion; and that he is charged with his share of its duty, its responsibility, and its repute. No mean cause, no disreputable client, no fraud to be vindicated, no wrong to be achieved, no right to be defeated, no assassin to be turned loose upon the community, ever engaged the services of Judge Prentiss. Though the legal reports of

the state were far more meagre at that period than they are now, they are sufficient to indicate to those who care to resort to them, the manner of business he was engaged in. And the consequence was, that although at that day Vermont was full of able lawyers, and although the limited facilities for transportation were such as to confine the bar of the state principally to the business of their own counties, Judge Prentiss more than any other man in Vermont was called upon to go to various parts of the state; I might almost say to all parts of the state in which any considerable courts were then held, and always in important cases. Such a lawyer as he was, contributes to the law and the justice of his country more than most people are aware of. He is helping all the time, not only the particular business in hand—the interests with which he is charged—but he is helping the court; he is helping to educate and maintain the court. Wise and able judges feel that sensibly. The argument that may fail of its application to day, is seed sown upon good ground. The effect of it comes afterwards, and bears fruit in the general law of the land.

Such was the course of Judge Prentiss at the bar. And it is not surprising, that in the year 1822, a seat upon the bench of the Supreme Court was offered to him, and pressed upon his acceptance. Probably at that time there were few men in the State of Vermont better qualified to fill it. He alone of all the bar, with a characteristic modesty that was throughout his life beyond any exhibition of that quality I ever knew, declined it. He distrusted the ability that nobody else distrusted. But three years afterward, when the office was again pressed upon him, with no little reluctance he took his seat upon the bench. It is very noticeable in the reports how considerable a time elapsed before he could bring himself to be the organ of the

court in pronouncing its opinions. He cast that duty upon his senior brethren. His associates upon the bench were Chief Justice Skinner, Titus Hutchinson, and Bates Turner, and afterwards Charles K. Williams, and Stephen Royce, names among the most honorable in our judicial history. But in due time he began to write and deliver opinions, and some of them remain, fortunately for his reputation. Only a part of them, because, as I have said, the reports were more meagre then than now. They speak for themselves. It is true, they deal largely with questions that have been now so long settled that we have little occasion to go back to read upon the subjects. But the lawyer who is desirous of seeing what manner of man he was, and what sort of a court he belonged to, and who will take the trouble to peruse these opinions, will discover that they are distinguished, in the first place, by the most complete knowledge of the science of the law. And he will find, in the next place, that their conclusions are arrived at by logical deductions from fundamental principles, in a manner that to every capacity becomes perfectly luminous and decisive. And finally, that in every instance, the case the court is concerned with, had been the subject of the most careful, thoughtful consideration, until nothing that bore upon the conclusion was overlooked, forgotten, or misunderstood.

Some people are coming to think in these days, that a judge can be manufactured out of almost any sort of material. And it is true enough, that almost any man can sit upon the bench, can hear causes, and after some fashion can decide them; and the world will go along; there will be no earthquake; there will be no interruption of human affairs; he will fill the office. But by and by it will come to be discovered, that the law of the land, which apparently has lost nothing of

its learning, has wonderfully lost its justice; that conclusions that by learned reasons and abstruse processes have been reached, are not consonant with justice, and establish rules that cannot be lived under. As the common people say, they may be law, but they are not right. There is philosophical and sufficient reason for this result. It is inevitable. Justice under the common law cannot be administered in the long run by an incapable man. And he is an incapable man for that purpose, who is not a master of the principles of the law, by a knowledge systematic, comprehensive and complete. Because those principles are the principles of justice. They are designed for justice. The law has no other reason, no other purpose. The judge who draws his conclusions from this source, will keep within the limits of justice. The judge who is groping in the dark, and depending upon lanterns to find his way, who is swayed and swerved by the winds, the fancies, and the follies of the day, and by the fictitious or indiscriminating learning that finds its way into multiplied law books, will reach conclusions which laymen perhaps cannot answer, but which mankind cannot tolerate. Such courts lose public confidence, and business forsakes them. It is an invariable truth, that the more thorough the legal acquirements of the judge, the nearer his decisions approach to ultimate justice.

I believe I am correct in saying that none of the decisions in which Judge Prentiss participated, have ever since been departed from. I think our Supreme Court has not found it necessary in the course of subsequent experience, (and it is human experience that tries the soundness of legal conclusions,) to overrule or materially to modify them.

In 1830, as I have remarked, Judge Prentiss was elected to the United States Senate; we may well imagine, upon no so-

licitation of his own ; and went to Washington to take his seat. And there, as I have also remarked, I became personally acquainted with him.

And you will pardon me if I digress to say a word about that body, as it existed when I saw it for the first time. To comprehend what Prentiss was, it is necessary to comprehend what were his surroundings, and who were his associates. I venture to say that this world, so far as we have any account of it, has never seen assembled a legislative body, which on the whole, and taking all things into account, could compare with the United States Senate at that period of our history. Not the Roman Senate, in its most august days ; not the Parliament of England, when Burke and Pitt and Sheridan made its eloquence immortal ; not that revered body of men who assembled together to create our constitution. In the first place, it was made up by the selection of undoubtedly the very best men in every state in the Union, who could be furnished out of the political party which had the ascendancy in the state for the time being. The consequence was, that they were almost without exception, men of the largest and most distinguished ability ; and only the presence of the great leaders I shall refer to presently, prevented almost any member of that body from assuming a position of acknowledged leadership. Though party conflicts at times ran high, their contentions were based, upon both sides, upon the constitution, and upon the broadest and most statesmanlike views. Men might well differ, as they differed, about the right and wrong of the questions and issues of the day. Much was to be said upon both sides. But one thing was to be said on all sides ; and that was that no man need be ashamed of being upon either side ; because the groundwork of all was broad and statesmanlike and defensible.

There was besides, a dignity, a courtesy, an elegance of deportment pervading the deliberations of that assembly, that could not fail to impress everybody who had the advantage of coming into its presence. No coarse personalities, no vulgarity of language or conduct, no small parliamentary trick or subterfuge was ever tolerated. And rarely have been brought together a body of men of such uniformly striking and distinguished personal presence.

Time does not allow me even to name more than two or three of its members. I might cite almost the whole roll of the Senate in illustration of what I have said. Their names remain upon record as part of our history. It was once said that to have known a certain beautiful woman was a liberal education. I could say with far less exaggeration, that for an American citizen, and especially a young American citizen, to have known and seen the United States Senate of that day, was a liberal education in what it most behooves an American citizen to know. He would have learned there, in such manner as never to forget, the difference between the gentleman and the charlatan, between the politician and the statesman, between the leader of men, who guides and saves his nation, and the demagogue who traffics in its misfortunes, and fattens upon its plunder.

I have alluded to the great leaders who controlled the policy, guided the action, and gave character to the deliberations of that body. In their presence there could be no other leaders. And I refer to only three of them, Mr. Webster, Mr. Clay, and Mr. Calhoun.

Nothing can be said of Webster at this day, that enlightened people do not know. As he said of Massachusetts, the world knows him by heart. But those who are too young to have

seen him, can never know, after all, splendid as the works are that he left behind him, the manner of man he was, as he appeared in those days—the prime and flower of his life. His very presence was an irresistible magnetism. He could not pass through the streets of Washington, but everybody turned to regard or to follow him. He was never out of the public eye. Every word that he spoke was listened to, almost as if it had been a revelation. Far beyond all men I ever saw, he possessed that well nigh supernatural personal magnetism that gave an indescribable power to words, which when repeated by another seemed to have no unusual significance. He was the great advocate, the luminous and decisive reasoner, whose language not only impressed the Senate, but eagerly waited for, sank deep into the best intelligence of the country.

Clay, though a great man, was as different from Webster as the rockbound coast of Massachusetts is different from the blue grass pastures of Kentucky. He was the acknowledged leader of the whig party, as Webster was its greatest luminary. What Webster said, passed into the permanent literature of the country, the most permanent we have. What Clay said, was like charming music; its immediate effect was powerful, but when it was over, it was gone; nothing remained. Every school-boy can recite the splendid passages of Webster's eloquence. The best educated man to-day, could hardly without preparation repeat one line from Clay. And yet no speaker had a greater magnetic power over his audience while they listened. His manner was splendid. It was overpowering. The young man who came within the scope of it was carried away captive; he was a Clay man as long as he lived. And the audience that fell under a spell impossible to describe, because no trace of it remains, were carried along with him almost wherever

he chose. He was as imperious in his leadership, as splendid even in his arrogance, as he was in his courtesy. He could fascinate; he could overcome. He was a born leader, a statesman by birthright, the originator of great measures. He carried the feeling of the country, as Webster did its convictions.

Very different from either, was the third of that great triumvirate of American statesmen, Mr. Calhoun, to whose character we at the North have hardly done justice. His political opinions are all gone by, never to be revived. However we may dissent from them, the man himself, now that the conflict is over, should be estimated as he was. He was of a singularly upright, sincere, and disinterested personal character, simple yet elegant in manner, reserved in his intercourse with the world, shunning publicity as far as possible, but warm in his attachments to his friends. No man was ever more beloved by the people of his section. If they could have made a President, he would have been their choice. His intellect was more keen, subtle and incisive than broad, and disciplined to the last degree by study and thought. His views were philosophical rather than practical, those of the student rather than of the manager of affairs. As a speaker, his sole weapon was pure reason, without rhetoric or eloquence. He digressed neither to the right hand nor to the left. Fluent of speech, earnest, but impassive as a statue, faultless in language, the stream of calm, subtle, unbroken logic, disdaining ornament, and declining the ordinary resources of the orator, was fascinating to the listener, and almost irresistible in its persuasion, however dangerous in its conclusions.

* Through it all ran a tinge of unexpressed melancholy, the half conscious sadness of the prophet who foresees the coming sorrow, that is hid from the common eye. The undisputed

leader of Southern political thought, he was the author of the constitutional theory that culminated after many years in the war of the rebellion : that the Union is a partnership of states, that can be dissolved at will, not a government established by the people, perpetual in its character. To the maintenance of this proposition and its various corollaries, all the resources of his tireless ability were devoted. Utterly as it has since been refuted, there was a time when in Mr. Calhoun's hands it seemed well nigh unanswerable. No ordinary constitutional lawyer was qualified to meet it. When Mr. Hayne's great speech on this subject was made, in 1830, (and it was a great speech,) its whole material was a reproduction of the views of Mr. Calhoun, then Vice President. Northern men gathered in dismay and said, "can it be answered?" And one man came to Mr. Webster with the question, "can it be answered?" "We shall see, sir," replied he, "we shall see—tomorrow." And on the morrow the country did see, and never forgot. They saw the Southern idea utterly demolished, with a logic that convinced all minds, and an eloquence that melted all hearts. Then and there it was, that "the lost cause" was lost. There was the first great battle. If the Calhoun construction of the constitution had been sound, secession would have been right. And if right, it would have succeeded. The lofty and noble proposition set forth by Mr. Webster—that our government is greater than a partnership, and more durable than a contract—a Union now and forever, with which liberty itself is one and inseparable—sank deep into the hearts of Northern men, and remained there. It was this conviction that brought them up to the demands of the final crisis, and enabled them to vindicate on the field what had been demonstrated in the Senate. They were thrice armed, when their quarrel was shown to be just.

The echoes of that great eloquence still lingered round the Capitol, and the answering public sentiment was strong. No man saw more clearly than Mr. Calhoun did, for his foresight was far-reaching, that the cause he contended for had received its death blow ; that the North would never yield the point. But he clung to it still, with the tenacity and the sadness of despair. Involved, as he thought, were the civilization, the institutions, the social life, the prosperity, that were precious to his people, and dear to himself. Again and again he marshalled in its support that strong and brilliant minority who trusted and followed him. With will unconquerable, with intellect inexhaustible, but with unfailing self-command and knightly courtesy, he fought still for the smitten cause and the forlorn hope. Always respected by his opponents, his personal dignity he never lost. He was a power in the Senate, though not its greatest power ; not its largest figure, but one of its most striking, most interesting, most fascinating.

Such were the men who gave leadership and character to the United States Senate in those days. And such were they who were associated with those leaders.

Into that stately assembly walked, in 1830, one of the most modest, reticent, quiet, gentlemen that ever lived ; with no self-assertion, seeking no leadership, making few speeches, taking nothing at all upon himself, the representative of one of the smallest and most rural states of the Union, with no ambition to gratify, no purposes of his own to serve. But he came there, not to be inquired of by his distinguished associates, "Friend, how camest thou in hither?" He came to take his place from the first, and to retain it to the last, as their acknowledged peer. No man in that Senate was more thoroughly respected and esteemed. No man was more listened to, when on comparatively

rare occasions he thought proper to address them. No man's opinion had more weight; no man's intimacy was more courted by the great men I have alluded to, than that of Samuel Prentiss. His position there, and his standing in the Senate, were such that he not only represented, but honored his state. It was a remarkable exhibition of the influence of high character, and of quiet intellectual force. He came to be regarded by many as the best jurist in the Senate, yet no jurist said so little on the subject. Although Judge Story was then sitting, in the height of his fame, on the bench of the Supreme Court, Chancellor Kent declared that he regarded Judge Prentiss as the first jurist in New England. And what was a great deal better than that, he was a man of an independence of character that nothing could swerve. One might suppose from what I have said of his modesty and gentleness, his consideration for others and his distrust of himself, that he would be a man who could be easily swayed and influenced. He was like the oak tree, its branches bending in the breeze, the trunk solid and immovable. When the bankrupt law was passed in 1840, though it was strenuously urged by the Whig party, to which Judge Prentiss belonged, he opposed it. He stood out against the almost universal public demand; and he made a speech against it, which was said on all hands to be the ablest speech of the whole debate. He could stand alone well enough, when there was anything worth standing out about. The subsequent history of that bankrupt law demonstrated that Judge Prentiss was right. It was an ill advised, hasty piece of legislation, which Congress were glad afterwards to abandon and repeal.

I cannot dwell upon incidents of his senatorial career. I cannot rehearse or repeat anything from his speeches. I must pass superficially over much that might be dwelt on. The

flying hour admonishes me that I must hasten on. One single passage let me quote from memory—and I can repeat substantially his language—in a speech made in the United States Senate in 1841, when in his own quiet and modest way, he expressed what was the guiding principle of his public and political life. “I would not be understood,” he says, “as undervaluing popularity, because I disclaim it as a rule of conduct. I am quite too humble and unpretending an individual to count greatly upon it, or to seek for or desire any which does not arise from the pursuit of right ends by right means. Whatever popularity that may bring, will be as grateful to me as to any one. But I neither covet nor am ambitious of any other.” He expressed in that modest way the same thought Lord Mansfield expressed when he said “I am not insensible to popularity: but I desire the popularity that follows, not that which is run after.”

In 1841, very near the conclusion of his second term in the Senate, he was appointed, by universal consent, and with unqualified approbation, Judge of the United States Court for the district of Vermont, to succeed Judge Paine, who had deceased. He went upon the bench, and remained there the rest of his life.

In those days, Judge Nelson was the Judge of the Supreme Court of the United States, who was assigned to this circuit. And unlike the judges of our day, who are either too busy or too little inclined, to travel about the country and hold circuit courts, it used to be Judge Nelson's practice, and his pleasure, to come up into Vermont once a year at least, and sometimes oftener, and sit in the United States Court with Judge Prentiss. If there ever was a better court than that, for the daily administration of human justice, year in and year out, in great matters and small, I do not know where it sat. The men were

entirely unlike. No two judges so eminent could have been less alike than they were. Judge Nelson was not a great lawyer; he was a very good one. He had a large judicial experience; natural judicial qualities; great practical sagacity, a strong sense of justice, and the moral courage of a lion. He was probably one of the best presiding magistrates that has sat upon the bench of any *nisi prius* court in our day. Not, I repeat, because he was a great lawyer, but because he was a great magistrate. He had a sway over the proceedings of his court that controlled its results for good; there was a moral power and dignity about it that was salutary in its influence, not only on the business in hand, but upon everybody that came near it. It was felt by counsel, by juries, by witnesses, by parties. I used to think, as Justice is depicted as bearing the scales and the sword, that Prentiss carried the scales, and Nelson the sword. Prentiss carried the scales, hung upon a diamond pivot, fit to weigh the tenth part of a hair; so conscientious he was, so patient, so thoughtful, so considerate, so complete in his knowledge of every principle and every detail of the law of the land. When he held up the scales, he not only weighed accurately, but everybody felt that he weighed accurately. But his very modesty, his distrust of himself, his fear lest he should go too far or too fast, deprived him to some extent of what might be called the courage of his judicial convictions. Nelson, when they sat together, always took care to assure himself from Judge Prentiss, that he was right in his conclusions. They never differed. It would have been very difficult to have brought Judge Nelson to a different conclusion from what he was aware Judge Prentiss had arrived at. But the sword of justice in Nelson's hand, was "the sword of the Lord and of

Gideon." And when a decision was reached, it was put in force without delay or further debate, and without recall. And so it was that the court became like the shadow of a great rock in a weary land. It carried with it an inevitable respect and confidence. It was a terror to the evil doer, and the prompt protection of the just.

And yet so modest, even in that fine and ripe and consummate experience and knowledge that Judge Prentiss had attained, so modest was he in its exercise, that it was difficult to bring him to a final decision in important matters, without the assistance of Judge Nelson. And he never could be brought, though much urged, to go to the city of New York to assist in the discharge of the press of business there, as it is customary for judges to do, and as I am frank to say he ought to have done. He did himself injustice by the excess of his modesty; but after all it was an error on the praiseworthy side.

These desultory observations upon Judge Prentiss' life, in its various relations, may perhaps have indicated sufficiently what I desire to convey, in regard to the qualities of his character and his intellect; he was a man of rare and fine powers, of complete attainments in jurisprudence, a student and a thinker all the days of his life; conservative in all his opinions, conscientious to the last degree, thoughtful of others, a gentleman in grain, because he was born so, a Christian in the largest sense of the term, whose whole life was spent in the careful discharge of his duty, without a thought of himself, his own aggrandizement, or his own reputation. I saw him for the last time I ever saw him, on the bench of his court, towards the close of his life, perhaps at the last term he ever held. He was as charming to look at as a beautiful woman, old as he was. His hair was snow white, his eyes had a gentleness of expression that

no painter can do justice to; his face carried on every line of it the impress of thought, of study, of culture, of complete and consummate attainment. His cheek had the color of youth. His figure was as erect and almost as slender as that of a young man. His old fashioned attire, the snowy ruffle, and white cravat, the black velvet waistcoat, and the blue coat with brass buttons, was complete in its neatness and elegance. And the graciousness of his presence, so gentle, so courteous, so dignified, so kindly, was like a benediction to those who came into it. Happy is the man to whom old age brings only maturity and not decay. It brought to him not the premonitions of weakness, of disease, and dissolution, but only ripeness—ripeness for a higher and a better world. It shone upon him like the light of the October sun, on the sheaves of the ripened harvest.

Of his private and domestic life, I forbear to speak. Historical societies have nothing to do with that. Some here are old enough to remember the admirable woman, his wife. Some may still remember his home, in a day when as I have said before, the times were different from what they are now. Steam had not put out the fire on the hearth. Ostentation had not paralyzed hospitality. The houses swarmed with healthy children. There were fewer books, but more study. There was less noise, and more leisure. There was plainer living, and better thinking. He had, as some knew, peculiarities—eccentricities they might be called—in his personal conduct. They were nothing, probably, but the outgrowth of a strong individuality, which consideration for others restrained from having any other vent. His ways were exact; they were set; they were peculiar. When he came down from his chamber in the morning, and his family and his guests were in the house, he spoke to no one. It was understood that no one should speak

to him. He passed through them as if in a vacant room, to his particular chair. He took down the Bible, and read a chapter ; and he rose up, and offered a prayer. And then he went to the breakfast table. After that, there was no courtesy more benignant and kindly than his. And that was an unvarying practice ; and every one who knew the ways of his household respected it. It was the flower of that old time reverence which distinguished his whole life ; when he came forth in the morning, *he spoke to God first.*

It never seemed to me—I was too far away at the time of his funeral to be present—it never seemed to me that he was dead. It never seemed as if I should find his grave if I explored your cemetery. He seemed to illustrate how it was that in the old days it came to be believed, that some men departed this life without dying. He looked to me like a man who was only waiting to hear the words, “ Friend, come up higher ” ;—like one who in due time would pass on before us, not through the valley of the shadow of death, appointed to all the living, but walking away from us, upward and onward, until like the prophet of old, he walked with God, and disappeared from our sight among the stars.

It has been said, and often repeated, that history is philosophy teaching by example. That is as true of personal history, as of national ; because the one is only the aggregate of the other. The mere flight of time does not make history. For countless centuries the land we live in lay under the eye of the Almighty, and the morning and the evening rose and fell upon it, and the summer and the winter came and went, but it had no history, because it had no civilized life. History is the story of the life of men ; principally the public and conspicuous men ;

strictly, the aggregate life of all men. There are lives enough that terminate at the grave, that display no example, point no moral, transmit no inheritance. They are but the dust that returns to the dust again. No Historical Society need busy itself about them. They are not those that make the history of a nation great. I have spoken, (how imperfectly, no one knows better than I do,) of one of the illustrious lives of the earlier annals of Vermont. But he did not stand alone. He stood among his peers, among the men of his day in the state of Vermont, eminent, useful, distinguished in all the departments of life, and especially in public life. They are all gone, —like him—with him. They have bequeathed to us a history, than which there is no better. There are more splendid histories; there are none more worthy, more noble, than that of our own state of Vermont. No people have more right to be proud of their history than we have.

And the moral of such lives is, that it is for us to preserve that history unimpaired and unstained, and to transmit it to the children who are growing up about us, and who will so soon fill our places.

How shall it be done? *By seeing to it that the quality of the men in public places and public trusts does not run down.* I do not say this because I think it needs specially to be said in the State of Vermont. Our high places are still worthily filled. But it is a point to which the attention of American people everywhere needs to be directed. As long as these lives are noble and great, so long we shall maintain the honor of the history, and the beneficence of the prosperity of the State of Vermont.

It is a common saying, that this is a government of the people. That is a mistake; there never was a government of the

people. No people can administer a government; they only designate the men who shall administer it. That is what they have to do, and all they can do. We have seen the manner of men that our fathers placed in the discharge of public trusts. If the same superiority which they demanded, we demand, it will be forthcoming. The world has not depreciated. There is as much capacity in it as there ever was. If it is called for, it will come to the surface. If it is made, as it should be, the exclusive requisite to public office of importance, it will not fail to be found. It is time there was courage enough to controvert the idea that in some parts of this country is making its way, that all that is necessary to qualify a man for high office, is the cunning that enables him to get into it. The government of the country requires personal superiority; superiority of natural capacity, superiority of attainment; the acquirements of those who have been willing to toil while others slept; and it is time that we had the sense to think so, and the courage to say so.

When the day comes, as it has come in too many other places, when the road to high office shall require a man, instead of attaining the requisite superiority, to divest himself of all appearance of superiority to the general mass of mankind, and to assimilate himself as completely as possible with those who are inferior; and having thus achieved a mean and unworthy popularity, then to exercise his ability in crawling into place, by traffic, and management, and intrigue—when that time comes, I say, it will need no prophet or astrologer to cast the horoscope of our State. The dry rot will permeate every timber of the edifice that our fathers reared, and all the glory of the past will be lost in the dishonor of the future.

ADDRESS
ON THE
LIFE AND PUBLIC SERVICES
OF THE
HON. SAMUEL PRENTISS.

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